

APPLICANT(S): BIEBER, Avigdor et al.  
SERIAL NO.: 10/560,746  
FILED: December 15, 2005  
Page 4

### **REMARKS**

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

### **Status of Claims**

Claims 31-38 are now pending, as claims 1-21 have been previously cancelled and claims 22-30 and 39-50 are cancelled in this amendment without prejudice or disclaimer.

In making this cancellation without prejudice, Applicants reserve all rights in these claims to file divisional and/or continuation patent applications.

Claim 1 has been amended. Applicants respectfully assert that the amendments to the claims add no new matter.

### **35 U.S.C. § 102 Rejections**

In the Office action, the Examiner rejected claims 31-33, 37 and 38 under 35 U.S.C. § 102(b), as being anticipated by US Patent No. 6,120,965 (hereinafter "Zhao"). Applicants respectfully traverse this rejection in view of the remarks that follow.

Applicants respectfully assert that Zhao does not teach all the features of claim 31 and therefore cannot anticipate claim 31 and the claims dependent thereon.

Zhao discloses a method of printing by contact transfer of liquid immersion developed images (toner images) from a first substrate (the image bearing member) to a second substrate (a copy sheet).

In particular, Zhao discloses:

[T]he image forming device can be an image output terminal of an analog photocopier, a digital photocopier or a laser printer. The image forming device can also be used as an image forming engine of a facsimile machine, a raster-output-scanner-type laser printer or photocopier, or the like. (col. 5, lines 43-49).

Lithography or lithographic printing works on the basic principle that oil and water do not mix. An imaged lithographic printing member includes image areas that attract the oil-based inks and non-image areas that repel the oil-based inks. The lithographic printing member or printing plate is usually made of aluminum or polyester. In on-press process, the image is transferred onto a substrate, such paper, via for example an off-set printing process.

Clearly, Zhao does not disclose a method of fabricating an imaged lithographic printing member by imaging a selected image onto an image-transfer film, applying a fluid formulation, laminating the imaged image-transfer film with the substrate and curing the fluid formulation. The process of fabricating the imaged lithographic printing member is a pre-press preparation of the image plates.

The image bearing member of Zhao is a photoconductive layer that is charged and then projected with light to form a latent image. The latent image is developed by a liquid developer where pigment particles are attracted to the latent image on the photoconductive layer. Then, another layer (overlayer), which may be an adhesive material and/or clear contact transferable toner layer, is applied over the developed image.

The image bearing member is then used to print the image on sheets of paper by pressing the paper against the image bearing member to transfer the image to the paper. Clearly such a process is not a process of fabricating an imaged lithographic printing member. Moreover, the process transfer process disclosed by Zhao does not teach or suggest any lamination operation.

Zhao does not teach or disclose, at least, "laminating the imaged image-transfer film with the substrate such that the fluid formulation is captured in between and the imaging-carrying material is dipped into the fluid formulation; and curing the fluid formulation to

APPLICANT(S): BIEBER, Avigdor et al.  
SERIAL NO.: 10/560,746  
FILED: December 15, 2005  
Page 6

form a solid imaging layer of the imaged lithographic printing member, said solid imaging layer comprising said imaging-carrying material such that a surface of said imaging layer comprises a mirror image of said selected image", as recited by claim 1.

Accordingly, Applicants respectfully assert that claim 31 is allowable over Zhao. Each of claims 32-33, 37 and 38 depends, directly or indirectly, from claim 31 and therefore includes all the limitations of this claim. Therefore, Applicants respectfully assert that claims 32-33, 37 and 38 are likewise allowable.

Accordingly, Applicant respectfully requests that the rejections under 35 U.S.C. §102(b) of claims 31-33, 37 and 38 withdrawn.

### **35 U.S.C. § 103 Rejections**

In the Office action, the Examiner rejected claims 34-36 under 35 U.S.C. § 103(a), as being unpatentable over Zhao et al. US Patent No. 6,120,965.

Applicants respectfully traverse the rejection of claims 34-36 in view of the remarks that follow. Each of claims 34-36 depends directly or indirectly from independent claim 31. Zhao was discussed above with respect to claim 31 and the discussion is equally applicable here. As discussed above with respect to the 35 U.S.C. § 102(b) rejections, claim 31 is patentable over Zhao. Accordingly, claims 34-36 dependent from claim 31 are likewise allowable over Zhao.

APPLICANT(S): BIEBER, Avigdor et al.  
SERIAL NO.: 10/560,746  
FILED: December 15, 2005  
Page 7

### **Conclusion**

In view of the foregoing amendments and remarks, Applicants assert that the pending claims are allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

No fees are believed to be due, if however any fees are due, please charge such fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,

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